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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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32127	7590	02/08/2005	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC. C/O CHRISTIAN R. ANDERSEN 600 HIDDEN RIDGE DRIVE MAILCODE HQEO3H14 IRVING, TX 75038			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683	
DATE MAILED: 02/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/833,151	HEFTER, JESSE	
	Examiner	Art Unit	
	Keith T. Ferguson	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11 and 16-37 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-11,16-26 and 31-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3,5,22-26,35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaufmann in view of Littleton et al. and Desai et al., newly recited reference.

Regarding claim 1, Kaufmann discloses a personal digital assistant (PDA system) (fig. 1 number 100) comprising: a memory (fig. 1 number 614) containing a database (list of files) (fig. 1 number 614) and a synchronization routine (fig. 1 number 103), said synchronization routine is adapted to automatically transmit information reflecting a database (fig. 1 number 608) change to a computer (fig. 1 number 600) over a wireless network (i.e. synchronize data base 608 with data base 614) (fig. 1 and col. 4

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lines 41-44). Kaufmann differs from claim 1 of the present invention in that it does not disclose its PDA is a wireless telephone and a synchronization routine is downloaded from a remote server if the synchronization is not present in a wireless telephone. Littleton et al. teaches a PDA that is modified with wireless telephone services (fig. 4 and paragraph 0036 lines 1-7). Desai et al. teaches a network device such as a PDA, or wireless application telephone (WAP) (fig. 1 number 12a and col. 8 lines 26-41) wherein synchronization software is loaded within the device from an information exchange system on how to pull and upload files with information exchange system (col. 10 line 64 through page 11 line 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaufmann PDA system to a wireless telephone and a synchronization routine is downloaded from a remote server if the synchronization is not present in a wireless telephone in order for the PDA system to speed dial a user when making a telephone call by using the address book stored within the PDA and for the PDA system to request new synchronization routine information from the personal computer (PC) in case the current synchronization routine stored within fails or crashes, as taught by Littleton et al., and Desai et al..

Regarding claim 2, Kaufmann discloses wherein said transmission of the information occurs after said synchronization routine identifies a difference between said database and a database on the computer (col. 4 lines 31-33).

Regarding claim 3, Kaufmann discloses wherein said transmission of the information occurs after a predetermined period of time (i.e. after m minutes) (col. 4 lines 40-43).

Regarding claim 5, Kaufmann discloses said PDA database comprises a plurality of names and associated telephone numbers and other information (col. 1 lines 18-24).

Regarding claims 22-26 and 35-37, Kaufmann discloses a wireless network (system) (fig. 1) for synchronizing a data file of a wireless telephone with a data file of a computer (fig. 1 and col. 4 lines 25-30), said network comprising: a PDA (fig. 1 number 602); a controller (fig. 1 number 152) coupled to said

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wireless PDA by a wireless interface (fig. 1 number 152), a controller comprising a synchronizing routine (col. 4 lines 25-30); and a computer (fig. 1 number 600) coupled to said controller (fig. 1); a controller (PDA) comprising a synchronizing routine (fig. 1 number 602 and 103), said synchronizing routine adapted to compare a controller memory to a corresponding memory of the PDA (col. 4 lines 25-30); update the controller memory to reflect any differences (database changes) (predetermined event) resulting from the comparison (col. 4 lines 30-44); and transmit the changes to the computer (col. 4 lines 30-44). Kaufmann differs from claims 22 and 35 of the present invention in that it does not disclose its PDA is a wireless telephone, and a synchronization routine is downloaded from a remote server if the synchronization is not present in the controller. Desai et al. teaches a network (fig. 1 number 14) for wireless communication with a PDA, or wireless application telephone (WAP) (fig. 1 number 12a and col. 8 lines 26-41) wherein synchronization software is loaded within the device from a information exchange system on how to pull and upload files with information exchange system (col. 10 line 64 through page 11 line 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaufmann PDA system to a wireless telephone and a synchronization routine is downloaded from a remote server if the synchronization is not present in the controller in order for the wireless network to allow the PDA system to speed dial a user when making a telephone call by using the address book stored within the PDA and for the wireless network to allow the PDA system to request new synchronization routine information from the personal computer (PC) in case the current synchronization routine stored within the PDA fails or crashes, as taught by Littleton et al., and Desai et al..

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaufmann in view of Littleton et al. and Desai et al. as applied to claim 1 above and in further view of Novak et al..

Regarding claim 4, the combination of Kaufmann and

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Littleton et al., and Desai et al. differs from claim 4 of the present invention in that they do not disclose a predetermined number of differences between said database and a database on the computer. Novak et al. teaches a client device and a server synchronizes with each other where changes occur from 0 to 4 (col. 5 lines 40-50 and col. 6 line 63 through col. 7 line 18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Kaufmann and Littleton et al. with a predetermined number of differences between said database and a database on the computer in order for the PDA to update its synchronizing routine after a specific number of changes with the personal computer synchronizing routine thereby preventing the PDA from continuous synchronizing with the personal computer which saves the battery of the PDA, as taught by Novak et al..

5. Claims 6,7,9,10,16,17,19,20 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. in view of Ansems et al. and Roeder.

Regarding claims 6 and 19, Littleton et al. discloses a computer-implemented method (fig. 3) for synchronizing a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), the method comprising: storing a synchronization routine (synchronized program) in a memory (paragraph 0036 lines 19-23), monitoring a change to the data file (fig. 1 number 114 and fig. 4 number 418) of the wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 6-15) initiating the synchronization routine to transmit the change to the computer (server) over the wireless network (fig. 3, paragraph 0024, paragraph 0025 and paragraph 0036 lines 6-15); and receiving the change by the computer (fig. 3, paragraph 0024 lines 3-11, paragraph 0025 lines 1-5 and paragraph 0036 lines 6-15). Littleton et al. differs from claims 6 and 19 of the present invention in that it does not explicit disclose a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone. Ansems et al.

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teaches a personal digital assistant that is wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Littleton et al. personal digital assistant with a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone in order for the wireless PDA to synchronize its changes made to telephone service features that are stored in memory to the server computer database and follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made, as taught by Ansems et al. and Roeder.

Regarding claims 7,10,17 and 20, Littleton et al. discloses comparing the data file (fig. 1 number 114 or fig. 4 number 418) of the wireless telephone (PDA) (fig. 4 number 402) with a data file (fig. 1 number 140 or fig. 4 number 424) stored on a controller (server) (fig. 1 number 106 or fig. 4 number 404) on the wireless network (paragraphs 0030 through paragraph 0033 and paragraph 0036 lines 6-11, fig. 4).

Regarding claim 9, Littleton et al. discloses a computer-implemented method (fig. 3) for synchronizing of a computer (fig. 4 number 400) with a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), the method comprising: storing a synchronization routine (synchronized program) in a memory of the computer (paragraph 0024 'through paragraph 0032), monitoring a change to the data file of the computer (paragraph 0024 through paragraph 0032), initiating the synchronization routine located in memory of the computer to transmit the change from the computer (server) to the wireless telephone over the wireless network (paragraph 0024 through paragraph 0032); and receiving the change by the wireless telephone (paragraph 0024 through

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paragraph 0032). Littleton et al. differs from claim 9 of the present invention in that it does not explicit disclose a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone. Ansems et al. teaches a personal digital assistant that is wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Littleton et al. personal digital assistant with a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone in order for the wireless PDA to synchronize its changes made to telephone service features that are stored in memory to the server computer database and follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made, as taught by Ansems et al. and Roeder.

Regarding claim 16, Littleton et al. discloses a wireless system (fig. 4) for synchronizing a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), the system comprising: monitoring a change to the data file (fig. 1 number 114 and fig. 4 number 418) of the wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 6-15), initiating the synchronization routine located in the PDA to transmit the change to the computer (server) over the wireless network (fig. 3, paragraph 0024, paragraph 0025 and paragraph 0036 lines 6-15); and receiving the change by the computer (fig. 3, paragraph 0024 lines 3-11, paragraph 0025 lines 1-5 and paragraph 0036 lines 6-15). Littleton et al. differs from claim 16 of the present invention in that it does not explicit disclose a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone. Ansems et al. teaches a personal digital assistant that is wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at

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the time the invention was made to modify Littleton et al. wireless system with a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone in order for wireless system to allow the wireless PDA to synchronize its changes made to telephone service features that are stored in memory to the server computer database and follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made, as taught by Ansems et al. and Roeder.

Regarding claim 27, Littleton et al. discloses a computer-implemented method (fig. 3) for synchronizing a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), the method comprising: initiating the synchronization routine to transmit the change to the computer (server) over the wireless network (fig. 3, paragraph 0024, paragraph 0025 and paragraph 0036 lines 6-15); and receiving the change by the computer (fig. 3, paragraph 0024 lines 3-11, paragraph 0025 lines 1-5 and paragraph 0036 lines 6-15). Littleton et al. differs from claim 27 of the present invention in that it does not explicit disclose a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone. Ansems et al. teaches a personal digital assistant that is wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Littleton et al. personal digital assistant with a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone in order for the wireless PDA to synchronize its changes made to telephone service features that are stored in memory to the server computer database and follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made, as taught by Ansems et al. and Roeder.

Regarding claims 28 and 32, Littleton et al. discloses comparing the data file of the (PDA) wireless telephone with a

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data file stored on a (server) controller on the wireless network (paragraph 0024 through paragraph 0032); initiating a synchronization routine to transmit the data file from the wireless telephone to the computer over the wireless network (paragraph 0036 and fig. 4), upon the occurrence of a predetermined event (modified record) (paragraph 0036 and fig. 4).

Regarding claims 29 and 33, Littleton et al. discloses transmitting data file changes from the (PDA) wireless telephone to a controller on the wireless network (paragraph 0036 and fig. 4); and updating a data file on the (server) controller to reflect the changes from the wireless telephone (paragraph 0036 and fig. 4).

Regarding claims 30 and 34, Littleton et al. discloses transmitting data file changes from the controller to the computer (database) (paragraph 0036 and fig. 4 numbers 404 and 424).

Regarding claim 31, Littleton et al. discloses a computer-implemented method (fig. 3) for synchronizing of a computer (fig. 4 number 400) with a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), the method comprising: initiating the synchronization routine located in memory of the computer to transmit the change from the computer (server) to the wireless telephone over the wireless network (paragraph 0024 through paragraph 0032); and receiving the change by the (PDA) (paragraph 0024 through paragraph 0032). Littleton et al. differs from claim 31 of the present invention in that it does not explicitly disclose a wireless telephone and establishing a voice communication link between the wireless telephone and a second telephone. Ansems et al. teaches a personal digital assistant that is a wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Littleton et al. personal digital assistant with a wireless telephone and establishing a voice communication link between the wireless

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telephone and a second telephone in order for the wireless PDA to synchronize its changes made to telephone service features that are stored in memory to the server computer database and follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made, as taught by Ansems et al. and Roeder.

6. Claims 8,11,18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littleton et al. in view of Ansems et al. and Roeder as applied to claims 6,9,16 and 19 above and in further view of Kaufman.

Regarding claims 8,11,18 and 21, the combination of Littleton et al., Ansems et al. and Roeder differs from claims 8,11,18 and 21 of the present invention in that they do not disclose transmitting data file changes from the wireless telephone to a controller on the wireless network; updating a data file on the controller to reflect the changes from the wireless telephone; transmitting data file changes from the controller to the computer; transmitting data file changes from the computer to a controller on the wireless network; updating a data file on the controller to reflect the changes from the computer; and transmitting data file changes from the controller to the wireless telephone. Kaufman teaches transmitting data file changes from a PDA to a Paging network on the wireless network (fig. 1); updating a data file on the paging network to reflect the changes from the PDA (col. 4 lines 25-44); transmitting data file changes from the paging network to a personal computer (fig. 1 and col. 4 lines 25-44); transmitting data file changes from the personal computer to a paging network on the wireless network (fig. 1 and col. 4 lines 25-44); updating a data file on the paging network to reflect the changes from the personal computer (fig. 1 and col. 4 lines 25-44); and transmitting data file changes from the paging network to the PDA (fig. 1 and col. 4 lines 25-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of the combination of Littleton et al., Ansems et al. and Roeder with transmitting data file changes from the wireless telephone to a controller on the wireless network; updating a data file on the controller to reflect the changes from the wireless telephone; transmitting data file changes from the controller to the computer; transmitting data file changes from the computer to a controller

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on the wireless network; updating a data file on the controller to reflect the changes from the computer; and transmitting data file changes from the controller to the wireless telephone in order for the PDA and server to wireless synchronized each other when there is a change within their database, as taught by Kaufman.

Response to Arguments

7. Applicant's arguments filed October 26, 2004 have been fully considered but they are not deemed to be persuasive. The following are explanations to the applicant arguments:

8. Argument: Regarding newly amended claims 6,9,16,19 and 31 and original claim 27, Applicant alleges that there is no teaching or motivation to combine references, Littleton, Ausems et al. and Roeder.

Explanation: Examiner respectfully disagrees, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teaching of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. It is not necessary that the reference actually suggest, expressly or in so many words the changes or improvements that applicants has made. The test for combine references is what the references as a whole would have suggested to one of ordinary skill in the art. Littleton et al. discloses a computer-implemented method (fig. 3) for synchronizing a data file (fig. 4 number 418) of a wireless telephone (Personal Digital Assistant) (PDA) with wireless telephone features (paragraph 0036 lines 1-10) with a data file (fig. 4 number 424) of a computer (server) (fig. 4 number 404) over a wireless network (fig. 4), initiating the synchronization routine to transmit the change to the computer (server) over the wireless network (fig. 3; paragraph 0024, paragraph 0025 and paragraph 0036 lines 6-15); and receiving the change by the computer (fig. 3, paragraph 0024 lines 3-11, paragraph 0025 lines 1-5 and paragraph 0036 lines 6-15). Ansems et al. teaches a

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personal digital assistant that is wireless telephone (paragraph 0030). Roeder teaches a system (fig. 3A) for establishing a voice communication link between the wireless telephone 208 and a second telephone 210a (paragraph 0060 lines 3-6). The motivation to combine Roeder with Littleton and Ausems et al. is for the wireless PDA to follow up by making a telephone voice call connection with a personnel of the server computer to determine if changes has been made.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
February 2, 2005

Keith T